

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHERYL KATER, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

CHURCHILL DOWNS INCORPORATED.,  
a Kentucky corporation,

Defendant.

No. C15-612

**COMPLAINT—CLASS ACTION**

**JURY DEMAND**

Plaintiff Cheryl Kater brings this case, individually and on behalf of all others similarly situated, against Defendant Churchill Downs Incorporated (“Churchill Downs”) to enjoin its operation of unlawful gambling devices. Plaintiff alleges as follows upon personal knowledge as to herself and her own acts and experiences, and upon information and belief, including investigation conducted by her attorneys, as to all other matters.

**NATURE OF THE ACTION**

1. Defendant Churchill Downs owns and operates a leading video game development company in the so-called “casual games” industry—that is, computer games designed to appeal to a mass audience of casual gamers. Amongst the games Defendant owns